

MICHAEL WALTON
CABAR # 9497947
P.O. Box 751
San Anselmo, CA 94979
(415) 456-7920
Attorney for Michael and Solina Walton

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF MARIN

CHURCH OF SCIENTOLOGY)
INTERNATIONAL, a California)
not-for-profit religious)
corporation,)
)
Plaintiff,)
)
vs.)
)
GERALD ARMSTRONG; MICHAEL)
WALTON; THE GERALD ARMSTRONG)
CORPORATION, a California for)
profit corporation; DOES 1)
through 100, inclusive,)
)
Defendants.)
_____)

CASE NO. 157 680

DECLARATION OF MICHAEL WALTON IN
SUPPORT OF DEFENDANTS' OPPOSITION
TO PLAINTIFF'S MOTION FOR AN ORDER
COMPELLING COMPLIANCE WITH COURT
ORDER

Date: April 6, 1995
Time: 11:00 A.M.
Dept: Law Office of William Benz
Trial: May 18, 1995
Discovery Cut-off: March 16, 1995

1 Michael Walton declares:

2 1. I am a defendant in this action and the attorney for myself
3 and Solina Walton. I have personal knowledge of the facts set forth
4 herein and could and would competently testify thereto if called
5 upon to do so.

6 2. Attached hereto and incorporated herein are true and
7 correct copies of documents submitted as exhibits in support of
8 Defendants Michael and Solina Walton's Opposition to Plaintiffs

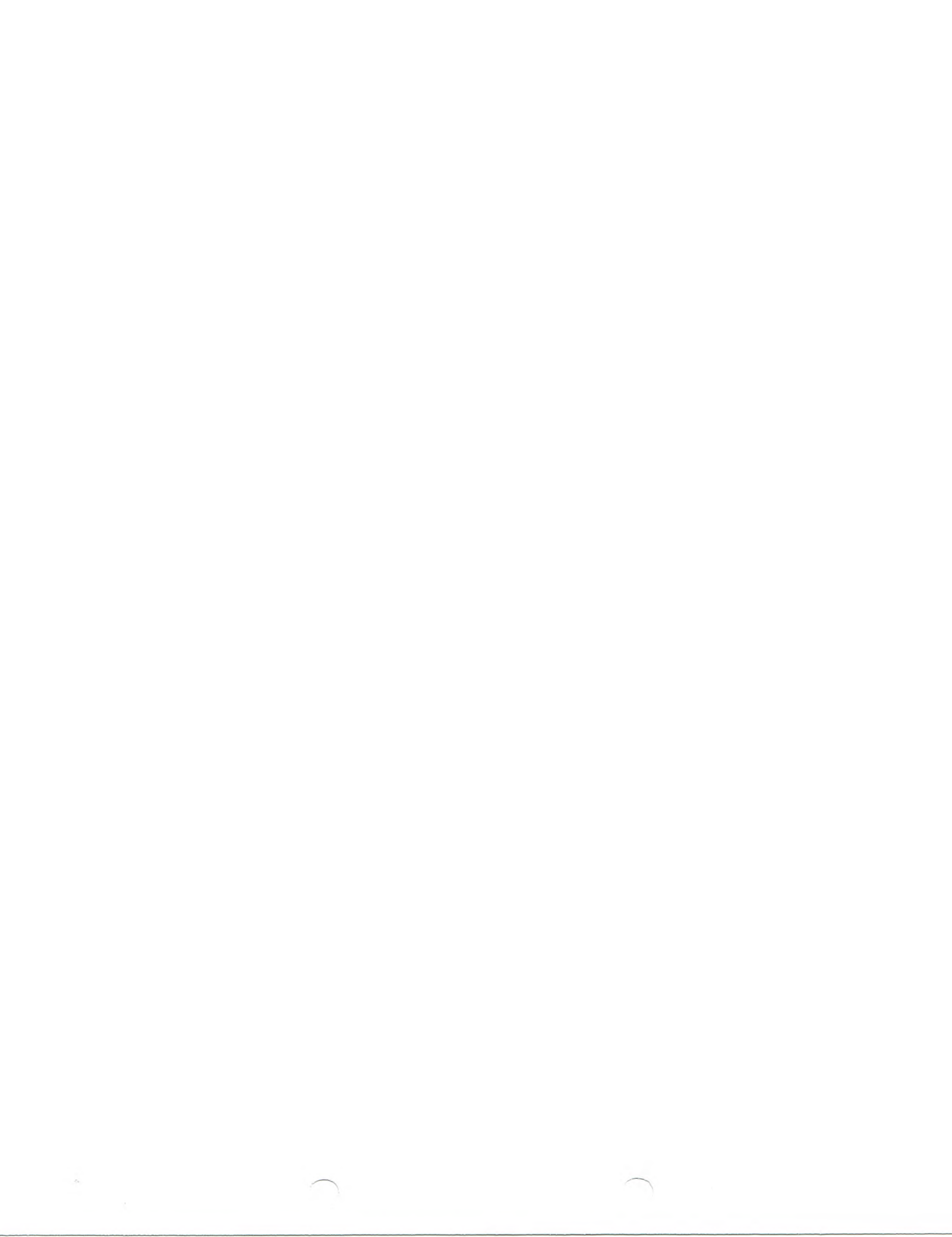
1 Motion For An Order Compelling Compliance With Court Order.
2 Exhibit 1: Plaintiff's Demand For Inspection of Real Property.
3 Exhibit 2: Waltons' Responses to Plaintiff's Demand For Inspection
4 of Real Property.
5 Exhibit 3: Waltons' Response to Plaintiff's Demand For Inspection
6 of Real Property.

7 3. I have spent in excess of 4 hours researching and preparing
8 this opposition to plaintiff's motion. I anticipate another 30
9 minutes in arguing this motion. My normal billing rate is \$200 per
10 hour. I request that plaintiff and its attorneys pay my attorney's
11 fees in the amount of \$900 plus the cost of the referee in hearing
12 plaintiff's motion.

13 I declare under penalty of perjury under the laws of the State
14 of California that the foregoing is true and correct.

15 Executed this 30th day of March 1995 at San Anselmo CA.

16 _____
17 Michael Walton, Attorney for
18 Michael and Solina Walton, Defendants



1 Andrew H. Wilson
2 WILSON, RYAN & CAMPILONGO
3 235 Montgomery Street
4 Suite 450
5 San Francisco, California 94104
6 (415) 391-3900

7 Laurie J. Bartilson
8 BOWLES & MOXON
9 6255 Sunset Boulevard
10 Suite 2000
11 Hollywood, California 90028
12 (213) 463-4395

13 Attorneys for Plaintiff
14 CHURCH OF SCIENTOLOGY INTERNATIONAL

15 SUPERIOR COURT OF THE STATE OF CALIFORNIA

16 FOR THE COUNTY OF MARIN

17 CHURCH OF SCIENTOLOGY OF) Case No. 157680
18 INTERNATIONAL, a California not-)
19 for-profit religious corporation;) PLAINTIFF'S DEMAND FOR
20) INSPECTION OF REAL PROPERTY
21 Plaintiff,)
22)
23 vs.)
24)
25 GERALD ARMSTRONG; MICHAEL WALTON;)
26 THE GERALD ARMSTRONG CORPORATION,)
27 a California for-profit)
28 corporation; DOES 1 through 100,)
inclusive,)
Defendants.)

29 DEMANDING PARTY: Plaintiff Church of Scientology International

30 RESPONDING PARTY: Defendant Michael Walton

31 SET NO.: 2

32 Plaintiff Church of Scientology International ("plaintiff")
33 demands, pursuant to C.C.P. § 2031, that, on November 1, 1994, at
34 10:00 a.m., defendant Michael Walton permit plaintiff and/or
35 someone acting on plaintiff's behalf to enter upon and inspect
36 the property currently in the possession, custody and/or control

1 of defendant which is located at 707 Fawn Drive, San Anselmo,
2 California, and more particularly described as follows:

3 PARCEL ONE

4 PARCEL TWO as shown upon that certain Parcel Map
5 entitled, "Parcel Map Lands of California Land Title
6 Portion Lands described in book 2887 of Official
7 Records, at page 367, also being Portion of Lots 501
8 and 501-A unrecorded Map of Sleepy Hollow Acres,
9 Vicinity of San Anselmo, Marin County, California,
10 filed for record April 8, 1976 in Volume 12 of Parcel
11 Maps, at page 43, Marin County Records.

12 EXCEPTING THEREFROM that portion deeded to Alain Pigois
13 and Nina Pigois, husband and wife, as community
14 property, by Deed recorded February 27, 1989, Serial
15 No. 89 13373.

16 PARCEL TWO

17 AN EASEMENT for ingress, egress and public utility
18 purposes described as follows:

19 BEGINNING at a point on the centerline of Fawn Drive,
20 said point being the most southwesterly corner of
21 Parcel 3, as shown upon that certain map entitled,
22 "Parcel Map Lands of California Land Title Portion
23 Lands described in Book 2887 of Official Records, at
24 page 367, also being a portion of Lots 501 and 501-A,
25 unrecorded Map of Sleepy Hollow Acres, Vicinity of San
26 Anselmo, Marin County, California", filed for record
27 April 9, 1976 in Volume 12 of Parcel Maps, at page 43,
28 Marin County Records, said point also being the
intersection of the calls "South 26° 20' East 135 feet
and North 63° 40' East 20 feet" as contained in Parcel
2 of the Deed executed by California Land Title
Company, a corporation to Michael C. McGuckin, et ux,
recorded March 26, 1976 in Book 3010 of Official
Records, at page 190, Marin County Records; thence from
said point of beginning and along the exterior boundary
of said Parcel 3, North 63° 40' East 20 feet; thence
North 75° 07' 20" East 164.00 feet; thence leaving said
exterior boundary of Parcel 3, North 12° 41' East 85.00
feet; thence North 30° 45' West 126.00 feet, thence
North 13° 30' East 79.21 feet to the northwesterly
boundary of Parcel 1, as shown upon that certain map
referred to hereinabove; thence along the exterior
boundary of said Parcel 1, South 84° 00' west 75.70
feet to the most Northerly corner of the parcel of land
described in the Deed executed by Charles B. Robertson,
et ux, to Paul Hopkins Talbot, Jr., et ux, recorded
January 30, 1956 in book 1002 of Official Records, at
page 623, Marin County Records; thence 111.77 feet,

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

thence leaving said exterior boundary of Parcel 1, South 18° 45' East 95.06 feet thence South 21° 48' West 70.66 feet; thence South 75° 07' 20" West 160.00 feet to the certline of Fawn Drive; thence along the exterior boundary of said Parcel 3, also being the centerline of "Fawn Drive, South 26° 20' East 34.46 feet to the point of beginning.

Dated: September 27, 1993

BOWLES & MOXON

By: 
Laurie J. Bartilson

Andrew H. Wilson
WILSON, RYAN & CAMPILONGO

Attorneys for Plaintiff
Church of Scientology
International

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) years and not a party to the within action. My business address is 6255 Sunset Boulevard, Suite 2000, Los Angeles, CA 90028.

On September 27, 1994, I served the foregoing document described as PLAINTIFF'S DEMAND FOR INSPECTION OF REAL PROPERTY on interested parties in this action,

by placing the true copies thereof in sealed envelopes as stated on the attached mailing list;

by placing the original true copies thereof in sealed envelopes addressed as follows:

FORD GREENE
HUB Law Offices
711 Sir Francis Drake Blvd.
San Anselmo, CA 94960-1949

MICHAEL WALTON
700 Larkspur Landing Circle
Suite 120
Larkspur, CA 94939

SOLINA WALTON
707 Fawn Drive
San Anselmo, CA 94960-1160

BY MAIL

*I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing an affidavit.

Executed on September 27, 1994, at Los Angeles, California.

**** (BY PERSONAL SERVICE)** I delivered such envelopes by hand to the offices of the addressees.

****** Such envelopes were hand delivered by Messenger Service

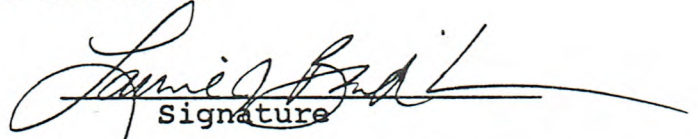
Executed on _____, at Los Angeles, California.

(State) I declare under penalty of the laws of the State of California that the above is true and correct.

(Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Laurie Bardison

Print or Type Name


Signature

* (By Mail, signature must be of person depositing envelope in mail slot, box or bag)

** (For personal service signature must be that of messenger)



1 SOLINA WALTON
2 P.O. Box 751
3 San Anselmo, CA 94979
4 (415) 456-7920
5 In Propria Persona

6 SUPERIOR COURT OF THE STATE OF CALIFORNIA
7 FOR THE COUNTY OF MARIN

8 CHURCH OF SCIENTOLOGY)
9 INTERNATIONAL, a California)
10 not-for-profit religious)
11 corporation,)
12)
13 Plaintiff,)
14)
15 vs.)
16)
17 GERALD ARMSTRONG; MICHAEL)
18 WALTON; THE GERALD ARMSTRONG)
19 CORPORATION, a California for)
20 profit corporation; DOES 1)
21 through 100, inclusive,)
22)
23 Defendants.)
24 _____)

CASE NO. 157 680

SOLINA WALTON'S RESPONSE
TO PLAINTIFF'S DEMAND FOR
INSPECTION OF REAL PROPERTY
AND OBJECTION TO DEPOSITION
OF SOLINA WALTON
Date:
Time:
Location:
Trial Date: May 18, 1995

1 DEMANDING PARTY: Church of Scientology International, plaintiff.

2 RESPONDING PARTY: Solina Walton.

3 SET: 1

4 THIS RESPONSE is by SOLINA WALTON to the PLAINTIFF'S DEMAND
5 FOR INSPECTION OF REAL PROPERTY.

6 RESPONSE TO DEMAND

7 I object to this demand on the grounds that it violates my
8 constitutional right of privacy; it is irrelevant, burdensome and
9 oppressive, harassive and not calculated to lead to the discovery
10 of admissible evidence. The attempted discovery also violates the

1 "30 day rule" and is, therefore, discovery prohibited by C.C.P
2 Section 2024(a).

3 PARTY NOTICING DEPOSITION OF SOLINA WALTON: Church of Scientology
4 International, plaintiff

5 RESPONDING PARTY: Solina Walton

6 OBJECTION TO NOTICE OF DEPOSITION

7 I object to this Notice of Deposition of Solina Walton on the
8 grounds that discovery in this action has terminated pursuant to
9 the "30 day rule" and is, therefore, discovery prohibited, inter
10 alia, by C.C.P Section 2024(a).

11 Dated: October 15, 1994
12



Solina Walton

1 PROOF OF SERVICE BY MAIL

2 STATE OF CALIFORNIA, COUNTY OF MARIN

3 I am a resident of the county aforesaid; I am over the
4 age of eighteen years and not a party to the within entitled
5 action; my business address is 700 Larkspur Landing Circle, Suite
6 120, Larkspur, California 94939.

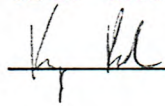
7 On October 17, 1994, I served the within SOLINA WALTON'S
8 RESPONSE TO PLAINTIFF'S DEMAND FOR INSPECTION OF REAL PROPERTY AND
9 OBJECTION TO DEPOSITION OF SOLINA WALTON on the interested parties
10 by placing true copies thereof enclosed in sealed envelopes with
11 postage thereon fully prepaid, in the United States mail at
12 Larkspur, California addressed as follows:

13 Laurie J. Bartilson
14 Bowles & Moxon
15 6255 Sunset Blvd., Suite 2000
16 Los Angeles, CA 90028

17 Ford Greene, Esq.
18 711 Sir Francis Drake
19 San Anselmo, CA 94960

20 Executed on October 17, 1994 at Larkspur, California.

21 I declare under penalty of perjury that the foregoing is
22 true and correct.

23
24  _____

1 MICHAEL WALTON
2 P.O. Box 751
3 San Anselmo, CA 94979
4 (415) 456-7920
5 In Propria Persona

6 SUPERIOR COURT OF THE STATE OF CALIFORNIA
7 FOR THE COUNTY OF MARIN

8	CHURCH OF SCIENTOLOGY)	
9	INTERNATIONAL, a California)	
10	not-for-profit religious)	
11	corporation,)	CASE NO. 157 680
12)	
13	Plaintiff,)	
14)	
15	vs.)	MICHAEL WALTON'S RESPONSE
16)	TO PLAINTIFF'S DEMAND FOR
17	GERALD ARMSTRONG; MICHAEL)	INSPECTION OF REAL PROPERTY
18	WALTON; THE GERALD ARMSTRONG)	
19	CORPORATION, a California for)		
20	profit corporation; DOES 1)	Date:
21	through 100, inclusive,)	Time:
22)	Location:
23	Defendants.)	Trial Date: May 18, 1995
24)	

1 DEMANDING PARTY: Church of Scientology International, plaintiff.
2 RESPONDING PARTY: Michael Walton, defendant.

3 THIS RESPONSE is by MICHAEL WALTON to the PLAINTIFF'S DEMAND
4 FOR INSPECTION OF REAL PROPERTY.

5 RESPONSE TO DEMAND

6 I object to this demand on the grounds that it violates my
7 constitutional right of privacy; it is irrelevant, burdensome and
8 oppressive, harassive and not calculated to lead to the discovery
9 of admissible evidence. The attempted discovery also violates the

1 "30 day rule" and is, therefore, discovery prohibited by C.C.P
2 Section 2024(a).

3 Dated: October 15, 1994
4


Michael Walton

1 PROOF OF SERVICE BY MAIL

2 STATE OF CALIFORNIA, COUNTY OF MARIN

3 I am a resident of the county aforesaid; I am over the
4 age of eighteen years and not a party to the within entitled
5 action; my business address is 700 Larkspur Landing Circle, Suite
6 120, Larkspur, California 94939.

7 On October 17, 1994, I served the within MICHAEL WALTON'S
8 RESPONSE TO PLAINTIFF'S DEMAND FOR INSPECTION OF REAL PROPERTY on
9 the interested parties by placing true copies thereof enclosed in
10 sealed envelopes with postage thereon fully prepaid, in the United
11 States mail at Larkspur, California addressed as follows:

12 Laurie J. Bartilson
13 Bowles & Moxon
14 62 55 Sunset Blvd., Suite 2000
15 Los Angeles, CA 90028

16 Andrew Wilson
17 Wilson, Ryan & Campilongo
18 235 Montgomery Street, Suite 450
19 San Francisco, CA 94104

20 Ford Greene, Esq.
21 711 Sir Francis Drake
22 San Anselmo, CA 94960

23 Executed on October 17, 1994 at Larkspur, California.

24 I declare under penalty of perjury that the foregoing is
25 true and correct.

26 Stacy Ratto
27



1 MICHAEL WALTON
2 California Bar #97947
3 P.O. Box 751
4 San Anselmo, CA 94979
5 (415) 456-7920
6 In Propria Persona

7 SUPERIOR COURT OF THE STATE OF CALIFORNIA
8 FOR THE COUNTY OF MARIN

9 CHURCH OF SCIENTOLOGY)
10 INTERNATIONAL, a California)
11 not-for-profit religious)
12 corporation,) CASE NO. 157 680
13)
14 Plaintiff,)
15)
16 vs.) WALTONS' RESPONSE
17) TO PLAINTIFF'S DEMAND FOR
18 GERALD ARMSTRONG; MICHAEL) INSPECTION OF REAL PROPERTY
19 WALTON; THE GERALD ARMSTRONG)
20 CORPORATION, a California for)
21 profit corporation; DOES 1) Date:
22 through 100, inclusive,) Time:
23) Location:
24 Defendants.) Trial Date: May 18, 1995
25 _____)

1 DEMANDING PARTY: Church of Scientology International, plaintiff.
2 RESPONDING PARTIES: Michael and Solina Walton, defendants.

3 THIS RESPONSE is by MICHAEL and SOLINA WALTON to the
4 PLAINTIFF'S DEMAND FOR INSPECTION OF REAL PROPERTY.

5 RESPONSE TO DEMAND

6 We object to this demand on the grounds that it violates our
7 constitutional right of privacy; it is irrelevant, burdensome and
8 oppressive, harassive and not calculated to lead to the discovery
9 of admissible evidence.

10 Dated: January 11, 1995

11 _____
Michael Walton

1 PROOF OF SERVICE BY MAIL

2 STATE OF CALIFORNIA, COUNTY OF MARIN

3 I am a resident of the county aforesaid; I am over the
4 age of eighteen years and not a party to the within entitled
5 action; my business address is 700 Larkspur Landing Circle, Suite
6 120, Larkspur, California 94939.

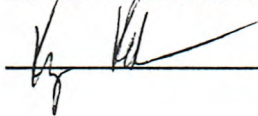
7 On January 11, 1995, I served the within WALTONS'
8 RESPONSE TO PLAINTIFF'S DEMAND FOR INSPECTION OF REAL PROPERTY on
9 the interested parties by placing true copies thereof enclosed in
10 sealed envelopes with postage thereon fully prepaid, in the United
11 States mail at Larkspur, California addressed as follows:

12 Laurie J. Bartilson
13 Bowles & Moxon
14 6255 Sunset Blvd., Suite 2000
15 Los Angeles, CA 90028

16 Ford Greene, Esq.
17 711 Sir Francis Drake
18 San Anselmo, CA 94960

19 Executed on January 11, 1995 at Larkspur, California.

20 I declare under penalty of perjury that the foregoing is
21 true and correct.

22
23  _____